

VIRGINIA:

BOOK 566 PAGE 675

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

REVISED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 01-1016-0939

ELECTIONS: UNIT C-23
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of modifying and supplementing the Order previously in the captioned matter on June 13, 2002 which was recorded at Deed Book 549, Page 400 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on June 24, 2002, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that: After the entry of the aforementioned Supplemental Order in this matter, the Applicant and the parties/respondents identified in the annexed affidavit entered into a voluntary agreement whereby the said respondents assigned all of their right title and interest in the said Unit to the Applicant, and further, agreed to withdraw their prior election(s) to participate.

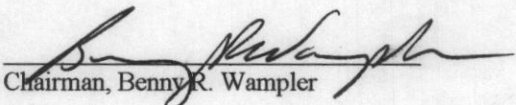
Order: By this Order, the Board dismisses the parties identified in the annexed affidavit as respondents and cancels their participation elections in the Unit in question. In addition, to the extent escrow was required and to the extent it pertained to the elections and interests of the respondents hereby dismissed, the Applicant is hereby directed to provide the Board with reconciliation of its and the Escrow Agents records so that any funds affected by this Order may be disbursed in an appropriate manner.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow or who is hereby dismissed and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 5th day of April, 2003, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA
COUNTY OF WISE

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Acknowledged on this 8th day of April, 2003, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis
Susan G. Garrett
Notary

My commission expires: 9/30/06.

DONE AND PERFORMED THIS 8th day of April, 2003, by Order of the Board.

B. R. Wilson
B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 8th day of April, 2003, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.

Diane J. Davis
Diane J. Davis, Notary

My commission expires: 9/30/05.

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Buchanan Production Company for Forced Pooling of Interests in CBM Unit C-23
VGOB 01-1016-0939 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF Consol Energy Inc. (herein "Designated Operator") REGARDING ELECTIONS, ESCROW
AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by Consol Energy Inc., as a Gas Engineer and is duly authorized to make this affidavit on behalf of Consol Energy Inc., the designated operator,

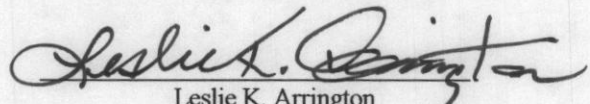
That after the entry of a Supplemental Order in this matter, the Applicant and the parties/respondents identified below entered into a voluntary agreement whereby the said respondents assigned all of their right, title and interest in the said Unit to the Applicant, and further, agreed to withdraw their prior election(s) to participate:

GeoMet, Inc., Highland Resources, Inc.


That the following persons should be dismissed as respondents:

GeoMet, Inc., Highland Resources, Inc. and Plum Creek Timberlands, L.P.

Dated at Tazewell, Virginia, this 4th day of April, 2003.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Gas Engineer of Consol Energy Inc., on behalf of the corporate Designated Operator, this 4 day of April, 2003.

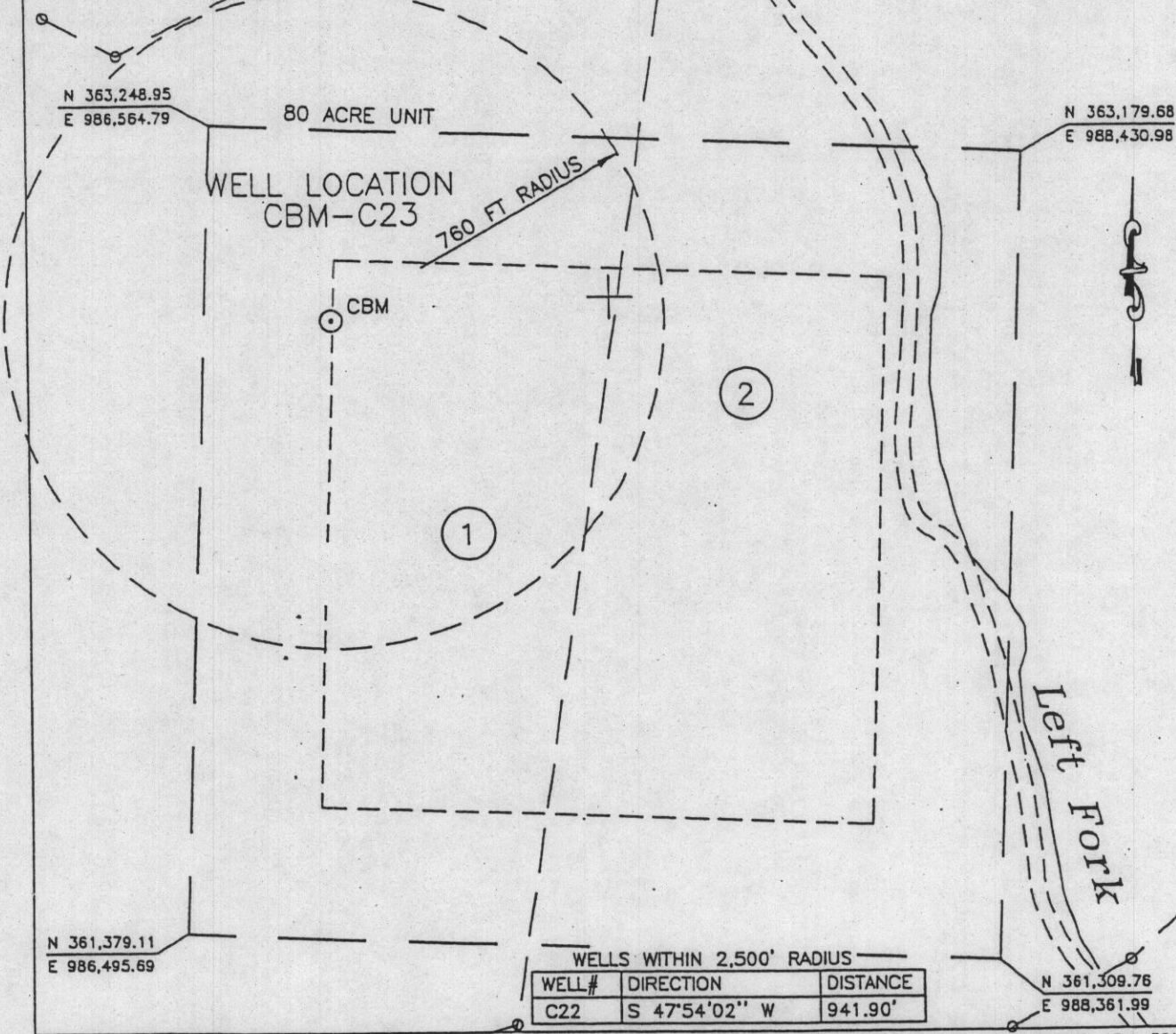

Notary

My commission expires: 11/30/05.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS AND DEEDS PROVIDED BY CONSOL ENERGY, Inc. AND DO NOT REPRESENT A CURRENT FIELD SURVEY.

BEARING BASIS:
VIRGINIA STATE PLANE - SOUTH ZONE - NAD'27

MINERAL
SURFACE



THE ACTUAL WELL LOCATION WILL BE WITHIN 10 FEET OF THE PROPOSED LOCATION ACCORDING TO 4 VAC 25-150-290 AND 45.1-361.30

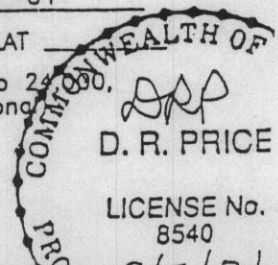
WELL LOCATION PLAT

COMPANY CONSOL ENERGY, INC WELL NAME OR NUMBER CBM-C23
TRACT NUMBER C.L. RITTER LUMBER CO. QUADRANGLE PATTERSON
DISTRICT: GARDEN
WELL COORDINATES (VIRGINIA STATE PLANE): STATE PLANE N 362,798.28 E 986,843.56
ELEVATION: 2,245.0' METHOD USED TO DETERMINE ELEVATION: USGS TOPOGRAPHIC MAPPING
COUNTY BUCHANAN Scale: 1" = 400' Date 09-07-01
THIS PLAT IS A NEW PLAT X; AN UPDATED PLAT ; OR A FINAL LOCATION PLAT

+ Denotes the location of a well on United States Topographic Maps, scale 1 to 24,000, latitude and longitude lines being represented by border lines as shown (optional)

D.R. Price

Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)



CONSOL ENERGY, INC.
UNIT C-23
Tract Identifications

1. C.L. Ritter Lumber Co.-Surface, Coal, Oil, and Gas
Coal Lessees
Island Creek Coal Co.- Coal below Tiller Seam
Jewell Smokeless Coal Corp.- Surface through Tiller Seam
Buchanan Production Co. - CBM Lessee
37.87 Acres 47.3375 %
2. Yukon Pocahontas Coal Co./Buchanan Coal Co./Sayers-Pocahontas Coal Co. - 2/3 Coal, Oil and Gas
North American Timber Corp.-1/3 Coal, Oil and Gas
Coal Lessees
Island Creek Coal Co. - Coal below Tiller Seam
Consolidation Coal Company - Pocahontas 3 Coal Seam
North American Timber Corp. and their apparent Lessees,
GeoMet, Inc. and Highland Resources, Inc. - 1/3 CBM Lease
Buchanan Production Company - CBM Lessee (2/3)
42.13 Acres 52.6625 %

**Exhibit B-2
Unit C-23
Docket # VGOB 01-1016-0939
List of Respondents to be Dismissed**

		Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL FEE OWNERSHIP				
<u>Tract #2, 42.13 Acres</u>				
(4)	Plum Creek Timberlands, L.P. Natural Resources Department 100 Peachtree Street NW, Suite 2650 Atlanta, GA 30303 (prev. North American Timber Corp.)	14.04 acres 1/3 of 42.13 acres	17.5542%	Leased
<u>CBM LESSEE:</u>				
(a)	GeoMet, Inc. 5336 Stadium Trace Parkway, Suite 206 Birmingham, AL 35244			Leased
(a)	Highland Resources, Inc. 100 Peachtree Street NW, Suite 2650 Atlanta, GA 30303			Leased
II. OIL & GAS FEE OWNERSHIP				
<u>Tract #2, 42.13 Acres</u>				
(4)	Plum Creek Timberlands, L.P. Natural Resources Department 100 Peachtree Street NW, Suite 2650 Atlanta, GA 30303 (prev. North American Timber Corp.)	14.04 acres 1/3 of 42.13 acres	17.5542%	Leased
<u>CBM LESSEE:</u>				
(a)	GeoMet, Inc. 5336 Stadium Trace Parkway, Suite 206 Birmingham, AL 35244			Leased
(a)	Highland Resources, Inc. 100 Peachtree Street NW, Suite 2650 Atlanta, GA 30303			Leased

Exhibit B-3
Unit C-23
Docket # VGOB 01-1016-0939
List of Unleased Owners/Claimants

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Acres in Unit

Percent
of Unit

Election

This unit is 100% Leased

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 8th day of April, 20 03 1:08 PM M.
Deed Book No. 566 and Page No. 619.
Returned to: Donna E TESTE: James M. Bevins, Jr., Clerk
TESTE: Jennifer S. Williams Deputy Clerk